

Message Text

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PAGE 01 GENEVA 06858 111632Z

44

ACTION EB-06

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TO SECSTATE WASHDC 9132

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E.O. 11652: N/A

TAGS: OCON WIPO

SUBJECT: EXPERT COMMITTEE ASKS WIPO SECRETARIAT TO DRAFT NEW
PROTECTION TREATY

REF: A. GENEVA 6677; B. STATE 242028

1. EXECUTING SEPT 1972 DECISION OF PARIS UNION EXEC COM, WIPO COMM OF
EXPERTS ON INTERNATIONAL PROTECTION OF APPELLATIONS OF ORIGIN AND
OTHER INDICATIONS OF SOURCE COMPLETED WEEK-LONG MEETING HERE NOV 8
ADOPTING REPORT WHICH INTER ALIA RECOMMENDED THAT FOR ITS NEX
MEETING
IN DEC 1975 WIPO INTERNATIONAL BUREAU PREPARE DRAFT OF NEW
INTERNATIONAL
TREATY PROVIDING FOR INTERNATIONAL SYSTEM OF PROTECTION OF
APPELLATIONS OF ORIGIN, INDICATIONS OF SOURCE AND OTHER GEOGRAPHICAL
DENOMINATIONS.

2. IN THIS CONNECTION COMMITTEE AGREED TO EXAMINE FURTHER AT ITS
NEXT MEETING BASIC QUESTION OF WHETHER TO RECOMMEND (A) REVISION
OF 1958 LISBON AGREEMENT (FOR PROTECTION OF APPELLATIONS OF ORIGIN
AND THEIR INTERNATIONAL REGISTRATION) IN SUCH A WAY AS TO
INCORPORATE SUBSTANTIVE PROVISION OF 1891 MADRID AGREEMENT
(FOR REPRESSION OF FALSE OR DECEPTIVE INDICATIONS OF SOURCE
ON GOODS) OR (B) CONCLUSION OF NEW TREATY (TO BE DRAFTED, AS
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PAGE 02 GENEVA 06858 111632Z

NOTED ABOVE, BY SECRETARIAT) ESTABLISHING SYSTEM OF PROTECTION

OF APPLATIONS OF ORIGIN, ETC.

3. COMMITTEE ALSO AGREED THAT THERE SHOULD BE FURTHER STUDY OF QUESTION WHETHER, IN CASE OF CONFLICT BETWEEN SPECIFIC GEOGRAPHICAL INDICATION AND TRADEMARK USED, REGISTERED OR TO BE REGISTERED IN COUNTRY OF PROTECTION, STUDY SHOULD BE MADE OF MEANS TO GIVE TO SPECIFIC GEOGRAPHICAL INDICATION, POSSIBLY ALLOWING FOR TRADEMARK ALREADY USED, TO CONTINUE TO BE USED UNTIL EXPIRATION OF TIME LIMIT TO BE SPECIFIED IN TREATY OR IN BILATERAL NEGOTIATIONS.

4. EXPERTS OF FOLLOWING 20 STATES, ALL MEMBERS OF PARIS UNION FOR PRETECTION OF INDUSTRIAL PROPERTY, PARTICIPATED IN WORK OF COMMITTEE: ALGERIA, AUSTRALIA, AUSTRIA, CAMEROON, CUBA, CZECHOSLOVAKIA, DENMARK, FRANCE, GABON, FRG, HUNGARY, ITALY, MEXICO, NETHERLANDS, NORWAY, REPUBLIC OF VIET NAM, SOVIET UNION, SPAIN, SWEDEN, AND SWITZERLAND. US PARTICIPATED AS OBSERVER (REF B NOT RECEIVED BY ACTION OFFICER UNTIL 1530 HOURS NOV 4) ATTENDING ONLY OPENING MORNING AND CLOSING AFTERNOON SESSION AND NOT PARTICIPATING IN ANY DISCUSSION.

5. THREE INTERGOVERNMENTAL ORGS--UNITED NATIONS CONFERENCE ON TRADE AND DEVELOPMENT (UNCTAD), COMMISSION OF EUROPEAN COMMUNITIES (CEC), AND INTERNATIONAL VINE AND WINE OFFICE (IWO)-WERE REPRESENTED AT MEETING ALONG WITH OBSERVERS FROM FOLLOWING FOUR INTERNATIONAL NGOS--INTERNATIONAL ASSOCIATION FOR PROTECTION OF INDUSTRIAL PROPERTY (AIPPI), INTERNATIONAL CHAMBER OF COMMERCE (ICC), INTERNATIONAL FEDERATION OF PATENT AGENTS (FICPI), INTERNATIONAL LEAGUE AGAINST UNFAIR COMPETITION (LICCD).

6. COMMITTEE ELECTED E.M. HADDICK (AUSTRALIA) AS CHAIRMAN AND J.N. RODRIGUEZ PADILLA (CUBA) AND MRS. E. STEUP (FRG) AS VICE CHAIRMAN. DDG PFANNER REPLACED DG BOGSCH AT ALL SESSIONS BUT OPENING AND L. BAEUMER, HEAD, LEGISLATION AND REGIONAL AGREEMENTS SECTION, WIPO, SERVED AS COMMITTEE SECRETARY.

7. MOST ACTIVE PARTICIPANTS IN DISCUSSIONS, WHICH LARGELY PUT OFF UNTIL DECEMBER 1975 BASIC DECISIONS ON SUBJECT UNDER CONSIDERATION, WERE FRG, FRENCH, SPANISH, CUBAN, SWEDISH, SWISS REPS.
UNCLASSIFIED

UNCLASSIFIED

PAGE 03 GENEVA 06858 111632Z

DISCUSSIONS WERE BASED ON WIPO DOCS TAO/1,2,3 AND 3 ADD. ALL SENT DEPT BY WIPO VIA MISSION'S AIR POUCH.

8. BAEUMER SAID OFFICIAL COMMITTEE REPORT, AS EDITED AT FINAL SESSION, WILL BE FORWARDED ALL PARIS UNION MEMBERS O/A
NOV 18.DALE

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